



**Safe Schools NC** supports educators in creating and fostering a safe, respectful, diverse and positive learning and working environment in North Carolina's public schools, with an emphasis on actual or perceived sexual orientation, gender identity, and gender expression.

## What is HB2?

HB2, also known as the "Public Facilities Privacy & Security Act" was passed by the North Carolina General Assembly and signed into law by the Governor on March 23, 2016. It overrides local nondiscrimination ordinances statewide, eliminating protections (current and future) for LGBTQ North Carolinians, and requires transgender and gender expansive students to use the restrooms and locker rooms that correspond with the gender listed on their birth certificate, even if that conflicts with their gender identity.

For more information on HB2, read the ACLU of NC's fact sheet: [http://www.acluofnc.org/files/legislative/HB 2 fact sheet FIN AL.pdf](http://www.acluofnc.org/files/legislative/HB_2_fact_sheet_FIN_AL.pdf)

**Although HB2 targets LGBT people, it harms all North Carolina workers.**



### **LGBTQ students still have rights in K-12 public schools in North Carolina. They have the right to:**

- Express their gender identity at school.
- Have their name and pronouns respected by school staff.
- Attend school dances with the date of their choice.
- Privacy and confidentiality about their identity.
- Have a gay-straight alliance in their middle/high school.
- Report bullying based on sexual orientation, gender identity, and gender expression to their school (and the school is REQUIRED BY LAW to do something about it)

*Learn more about resources to participate in campaigns, directly support queer and trans people of color, and raise awareness at Time Out Youth:*

<http://www.timeoutyouth.org/schools/gsa-activism-guide-hb2>

### ...and there's still Federal Law

State government entities (i.e. schools, state agencies, courts, parks) must still comply with federal law. Some of the protections still in place include Title IX (which prohibits sex discrimination including discrimination against transgender students in schools), Title VII (which prohibits sex discrimination including discrimination against transgender people in employment), and provisions of the United States Constitution such as the right to privacy, the First Amendment, and the Equal Protection Clause of the Fourteenth Amendment. Those protections have always been there and cannot be changed by any state law.

Title IX, as well as the constitutional requirement of equal protection, require that public schools treat transgender students equally—including giving them equal access to bathrooms and other facilities based on their gender identity. H.B. 2 did not change that.



### What You Can Do:

- Review available resources to support schools, e.g.:
  - *Schools In Transition: A Guide for Supporting Transgender Students in K-12 Schools* is a first-of-its-kind resource providing a blueprint for safe, supportive and inclusive school environments for transgender youth.  
[https://www.nea.org/assets/docs/Schools\\_in\\_Transition\\_2015.pdf](https://www.nea.org/assets/docs/Schools_in_Transition_2015.pdf)
  - DC's Public Schools, Transgender and Gender Nonconforming Policy Guidance  
<http://dcps.dc.gov/sites/default/files/dc/sites/dcps/publication/attachments/DCPS%20Transgender%20Gender%20Non%20Conforming%20Policy%20Guidance.pdf>
  - Souls of Our Students, including videos with a focus on transgender students  
<http://www.meckmin.org/souls-of-our-students/>  
<http://www.meckmin.org/wp-content/uploads/2016/02/Curriculum-Souls-of-Our-Students-Combined.pdf> (facilitation guide)
- Contact Safe Schools NC for a presentation, training, and/or resources.
- Attend the 2<sup>nd</sup> annual Safe Schools Conference in November!
- Donate to Safe Schools NC at: <https://www.tinyurl.com/ssncdonate>
- Once you've spoken with school administrators regarding accommodations, if you are dissatisfied, you can contact your local board of education and district attorney.

SSNC is a statewide non-profit 501(c)3 organization. Funds raised support our annual SSNC conference for teachers, support staff, administrators, school board members, curriculum and resource development for schools, and presentations at conferences and schools across the state to further students and educators.